



*Office of the United States Attorney
District of Arizona*

PRESS RELEASE

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PHOENIX MAN INDICTED AS ARMED CAREER CRIMINAL FOR BURGLARY OF AN OCCUPIED HOME

PHOENIX, ARIZONA – Paul K. Charlton, U.S. Attorney for the District of Arizona, and Virginia O'Brien, Special Agent in Charge for the Bureau of Alcohol, Tobacco, Firearms and Explosives, announced that on February 18, 2004, a federal grand jury in Phoenix, Arizona, returned a two count indictment against JOSHUA DOWLING, D.O.B. 7/31/81, of Phoenix, Arizona. The indictment charges two counts of Felon in Possession of a Firearm in violation of the Armed Career Criminal Act, 18 U.S.C. §§ 922(g)(1) and 924(e).

On February 13, 2004, the Phoenix Police Department responded to a burglary in progress call in Phoenix, Arizona. The caller told a 911 operator that at least one burglar was in her home at the time of the call. The caller then left her home through a window. At the scene, officers observed a white male, later identified as Joshua Dowling, attempting to climb over the back wall of the victim's residence and out of her backyard. Dowling saw the officers and retreated into the backyard of the residence. He was next seen climbing into a neighbor's back yard. At this same time, a second individual was found carrying a B-B gun in his jacket near the rear of the residence and was taken into custody. Dowling was later located hiding in

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a trash can at a neighboring residence. A search of the victim's backyard revealed a Llama, Model Max-1 .45C/F, .45 caliber, semi-automatic pistol, loaded with six rounds of .45 caliber ammunition. The firearm, hand held radio scanners, and a black leather jacket containing six rounds of ammunition were also found by the Phoenix Police Officers on the ground within feet of where Dowling was initially seen attempting to climb over the backyard wall into the neighboring backyard. A car which had been reported stolen earlier the same day was found near the victim's residence.

The indictment also alleges that on January 14, 2004, Dowling possessed a Rossi, 5-shot, .38 caliber, revolver and seventeen (17) rounds of .38 caliber ammunition.

Dowling has multiple prior felony convictions including four convictions in the Superior Court of Arizona, Maricopa County, for: (1) Attempted Aggravated Assault Against a Police Officer, a Class 6 Felony Offense, on March 9, 1999, Case Number CR-1998-012720; (2) Burglary in the Second Degree, Two Counts, Class 3 Felony Offenses, on December 29, 1999, Case Number CR-1999-011539; and (3) Aggravated Assault, a Class 5 Felony Offense, on May 21, 2001, Case Number CR-2001-001698.

Dowling's arrest is the latest success of an ATF initiated project identified as Project A.R.R.O.W., "Apprehend Released Repeat Offenders with Weapons." This project targets violent repeat offenders within the state of Arizona who have demonstrated an ongoing propensity for violence with weapons, particularly firearms. Once targeted, the project employs both proactive and reactive measures to identify whether the individuals have re-armed themselves. Once a target is known to have re-armed, ATF seeks to arrest him before he commits any additional crimes involving a weapon, or in cases like Dowling's, immediately after he has been caught committing a crime with a gun. Project A.R.R.O.W. is part of the District of Arizona's Project Safe Neighborhoods initiative.

An indictment is simply a method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

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Dowling is subject to sentencing under the Armed Career Criminal Act, 18 U.S.C. § 924(e), because he has at least three separate prior felony convictions for crimes of violence. A conviction for Felon in Possession of a Firearm in violation of the Armed Career Criminal Act carries minimum mandatory penalty of 15 years to life imprisonment and a possible fine of up to \$250,000.00. Dowling is presently in federal custody pending trial in this case.

The investigation leading to the federal indictment was conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives, Phoenix Police Department, Scottsdale Police Department, and Arizona Department of Public Safety.

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